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Subject: EPA Mid-Atlantic Region Headlines - Thursday, February 7, 2019

EPA Mid-Atlantic Region Headlines

Thursday, February 7, 2019

*** DAILY HOT LIST ***

County Council: What will you do about Clairton pollution? Health Dept:

Enforcement coming

PITTSBURGH POST-GAZETTE Questioned by Allegheny County Council members on their response to pollution following a Dec. 24 fire at the Clairton Coke Works, Health Department officials said Wednesday that an enforcement action against U.S. Steel could come within a month. County Health Department solicitor Michael Parker said they did not want to tip their hand on specifics, but, "We are definitely working on it." The enforcement action could come within "four weeks," and certainly under three months, said Mr. Parker. The action, which could consist of fines or other measures such as imposing conditions on permits, may be grouped with the regular quarterly enforcement actions the agency issues against U.S. Steel. "It's a large facility and there's always violations," explained Mr. Parker. After the fire, the county's air monitor in Liberty recorded sulfur dioxide levels above the federal standard on six days through Jan. 8, at which point the health department issued an air quality notice to the public. An additional exceedance of the standard was measured Monday, Feb. 4, by an air monitor in North Braddock. "The exceedance this week was worthy of enforcement, but enforcement was coming anyway," said Mr. Parker. Officials discussed their plans for the enforcement action in response to questions from members of county council's Health and Human Services Committee, which invited Health Department Director Karen Hacker and her staff to respond to concerns about air quality over the last month. The county council members were just the latest elected officials to get in on the action, ahead of another hearing in front of state legislators Thursday. While the health department put out a notice about the fire on Dec. 24th, it did not warn the public about the air quality concerns until Jan. 8. Prior to Jan. 4, U.S. Steel was unable to enter the building that caught fire and ...

Record-setting rain has created a biosolids problem for sewage treatment plants

WASHINGTON POST Sewage treatment plants throughout the Mid-Atlantic are dealing with a smelly problem: The farmland that typically uses the material that remains after the treatment process as natural fertilizer is saturated from last year's heavy rains. That means utilities have to store the biosolids until the farmland dries — and some of them are quickly running out of space. The Washington Suburban Sanitary Commission (WSSC) asked for emergency approval from its board Wednesday to accelerate its usual procurement process to quickly design, and possibly build, storage space at four of its sewage treatment plants. Two companies in charge of hauling away 18 dump trucks worth of biosolids from WSSC sewage treatment plants daily usually deliver it to farms or, if the farmland is frozen or too wet, store it temporarily. However, the companies say months of wet weather have left their storage tanks in southern Prince George's County and central Virginia 90 percent full, WSSC officials say. Utilities throughout the rain-soaked Mid-Atlantic are looking for more room for their biosolids. The gunk, which has an odor, looks like damp dirt or mulch. "We're all

dealing with the same problem,” said Gary Grey, WSSC’s deputy director of production. “No one has ever seen anything like this.” WSSC serves nearly 2 million people in Montgomery and Prince George’s counties...

MS4 deadlines ahead, with big pricetag

WILLIAMSPORT SUN-GAZETTE Yet another unfunded mandate — this one from the federal Environmental Protection Agency — continues to stump municipal and county officials in terms of solutions. Both South Williamsport and DuBoistown received their renewed Municipal Separate Storm Sewer Systems, known as MS4, permits and have had their Chesapeake Bay Pollution Reduction plans reviewed and approved by the state Department of Environmental Protection, John Bickhart, engineering services manager, reported to the Lycoming County Water and Sewer Authority Wednesday. In doing so, the municipalities now have a deadline of early 2024 to prevent thousands of pounds of sediment from being discharged into the West Branch Susquehanna River. “By Jan. 31, 2024, they’re going to have to spend several hundreds of thousands of dollars a piece of money that they don’t have,” Bickhart said. DuBoistown and South Williamsport both will have to develop stormwater management best management practices that can be proven to remove 10 percent of the current sediment load being discharged. In DuBoistown, the requirement is about 15,598 pounds of sediment per year without stream restoration, or 22,763 pounds with it. In South Williamsport, the requirement is to remove 105,072 pounds of sediment per year, yet their best management practices as established so far are anticipated to remove a total of 153,325 pounds, Bickhart said. Another MS4 communities are Williamsport, Montoursville, Pennsylvania College of Technology and Fairfield, Hepburn, Loyalsock, Lycoming and Old Lycoming townships...

EPA: Compliance plan would downgrade air, water initiatives

GREENWIRE EPA, as part of a broader reshuffling of its enforcement agenda, is proposing to deprioritize initiatives to stop raw sewage from flowing into the nation's waterways and limit air pollution from power plants and other large industrial facilities. Under what are now dubbed "national compliance initiatives," the agency is also seeking to rework the scope of a long-running program that targets energy industry emissions, under a recently posted draft blueprint that would run from fiscal 2020 through 2023 and is awaiting publication in the *Federal Register*. Previously known as "national enforcement initiatives," the [listings](#) serve as a means of focusing "enforcement and compliance resources on the most serious environmental violations," according to the notice from Susan Bodine, head of EPA's Office of Enforcement and Compliance Assurance. It also proposes two new initiatives: the first intended to increase compliance with drinking water standards, the other to reduce children's exposure to lead. The draft's release was previously reported by *Inside EPA*. Once it's published, the public will have 30 days to comment. The last update, undertaken under the Obama administration, covers eight priorities...

Top EPA Climate, Clean Air Adviser Resigns After Two Years

BLOOMBERG ENVIRONMENT The Trump administration’s top air and climate adviser at the EPA for the past two years is resigning effective today, according to a Feb. 7 resignation letter sent to the White House and obtained by Bloomberg Environment. Mandy Gunasekara said in her resignation letter to President Donald Trump that she planned to launch a new organization to support “the many energy, regulatory and economic successes” of his energy and environmental agenda, which is likely to come under intense scrutiny by emboldened Democrats who won control of the House last November. She arrived at the Environmental Protection Agency in March 2017 as a senior policy adviser to Trump’s first EPA administrator, former Oklahoma Attorney General Scott Pruitt, who resigned in July 2018 amid a series of alleged ethical lapses. Gunasekara is perhaps best known for a bit of Washington winter theater in February 2015, when she brought a snowball into the Senate chamber for Sen. Jim Inhofe (R-Okla.), who used it as a prop to argue that scientists and climate advocates were exaggerating global warming. President Trump is seeking to withdraw the U.S. from the Paris Agreement on climate change, although the earliest the U.S. can formally leave is one day after the Nov. 3, 2020, presidential election. At the EPA, Gunasekara also worked to roll back Obama regulations that set limits on power plant carbon emissions and pushed for more streamlining of environmental permitting...

TSP Proposes New Shutdown Loan Rules, OPM Considers Health Care

Portal, and More

GOVERNMENT EXECUTIVE Officials with the agency that administers the federal government's 401(k)-style retirement savings program published an interim rule Tuesday that would ensure federal employees impacted by a government shutdown can take out loans on their Thrift Savings Plan accounts regardless of how long the lapse in appropriations is expected to last. Posted in the [Federal Register](#) by the Federal Retirement Thrift Investment Board, which governs the TSP, the rule narrowly applies to federal workers who are either furloughed or forced to work without pay during a lapse in appropriations. Before this week, any employee in a "non-pay status" was eligible to take out a loan, so long as that status was expected to last less than 30 days. As a result, there was uncertainty regarding whether employees at unfunded agencies could apply for TSP loans during the 35-day partial government shutdown, especially as it stretched into the third and fourth week. Earlier this month, TSP officials reported that they saw a 5 percent increase in the issuance of TSP loans during the lapse in appropriations, compared to a 26 percent increase in withdrawals, a more onerous process that forces participants to incur a 10 percent tax penalty and stop contributing to their accounts for six months...

Study: Federal Workforce Is on the Verge of Catastrophe

GOVERNMENT EXECUTIVE A new study released by the Senior Executives Association paints a dire picture of the federal workforce, one that is stretched too thin, hampered by old technology and the target of partisan attacks. Without a significant overhaul, agencies may fail to provide adequate services when they are needed most, the researchers found. The [report](#), released last week, seeks to answer the question in its title: "Are Declines in U.S. Federal Workforce Capabilities Putting our Government at Risk of Failing?" The conclusion of the authors, longtime government observers and practitioners, is not reassuring: "Has the U.S. federal government reached a point where critical operations might fail in stressful events that are likely to occur? This was this project's animating question. Based on the data collected in this study, it appears the answer to these critical questions is yes." The study notes that the federal government has longstanding staffing problems in relation to increased responsibilities and a rise in overall government spending. "The U.S. executive branch has hardly grown in 60 years—there were 1.8 million civilian employees in 1960, and 2.1 million in 2017," the study states. "Yet over the same period the amount of money spent by the federal government has grown fivefold. To be sure, contracts and grants have filled part of the gap, but, still, both the amount and range of work required of the federal workforce has continued to go up, just as the scope and complexity of executive branch functions also increased."...

PENNSYLVANIA

PHILADELPHIA INQUIRER

[Pa., N.J. breweries partner with National Audubon Society to protect Delaware River Watershed](#) About a dozen local breweries have teamed up with the National Audubon Society to create a new environmental organization that will work to promote the protection of the Delaware River Watershed, the water source area beer makers rely on to make their brews. Known as the Brewers for the Delaware River Association, the group consists of 11 Pennsylvania and New Jersey area breweries, including Philly favorites like 2SP Brewing Company in Delaware County, and Goose Island's Fishtown location. According to a release, the organization will participate in area events throughout the year to educate local drinkers about the importance of the Delaware River Watershed to their favorite beers. After all, as most hopheads know, beer is mostly water. Without clean water, there is no beer, as 2SP director of sales and marketing Mike Contreras said in a statement. "As a small brewery, it is critical that we can rely on clean water for our operation. For any brewery, if we don't have clean water, we can't brew beer," Contreras said. "The Delaware River Watershed's protection and preservation ensure we can bring beer to the region and keep tap lines flowing." To that end, the National Audubon Society, along with breweries based near the Delaware River Watershed, last month sent a letter to Congress asking that members support the area's preservation through funding for the Delaware River Basin Restoration Program. Future events will be announced as warmer weather approaches, a representative said. Aside from 2SP and Goose Island, the Brewers of the Delaware River Association also includes Baba's Brew, Bangor Trust Brewing, Bonn Place Brewing Company, Flying Fish Brewing Co., Newtown Brewing Company, Shrewd Fox Brewery, Tannery Run Brew Works, Tuned

Up Brewing Company, and Zed's Beer Bado Brewing. "Birds, people, and brewers all rely on clean water to survive," Julie Hill-Gabriel, the Audubon Society's vice president of water conservation, said. "Teaming up with local brewers ... inspires economic growth for local businesses and industries that depend on the health of the watershed and its water."

Opinion: Pa. children deserve better than Andrew Wheeler in the EPA Since becoming acting administrator of the Environmental Protection Agency last summer, Andrew Wheeler has taken unprecedented steps to dismantle rules adopted on a bipartisan basis to protect children's and fetal health from pollution and toxic chemicals. Now the Senate is poised to vote on whether this former coal industry lobbyist becomes the official EPA administrator. On Monday, the Senate Environment and Public Works Committee voted to confirm Wheeler, and the vote will move to the full Senate. Wheeler's attacks on the Clean Air Act include proposals to undo rules on mercury and carbon dioxide emissions. He has delayed or torpedoed proposed bans on a brain-damaging pesticide found on the fruits and veggies we feed our kids, and on two toxic paint-stripping chemicals that can cause miscarriage, learning problems, and death from fume inhalation. He continues to hinder implementation of the nation's Toxic Substances Control Act, which Congress overhauled virtually unanimously in 2016. It authorized the EPA to assess and restrict chemicals found to be harmful to human health, with special precautions to protect the health of pregnant women and children. And despite public outcry, under Wheeler's leadership, the EPA and National Highway Traffic Safety Administration finalized a proposal to halt clean car standards enacted in 2012 that increase fuel efficiency and reduce greenhouse gas emissions. Beginning in utero, children will suffer the most from these rollbacks, as their developing brains and bodies are particularly vulnerable to harm from even low levels of toxic chemicals and pollutants...It's hard to believe that anyone, even a former coal lobbyist, would use his office to expose pregnant women and children to higher levels of harmful substances. But that is what's happening. Pennsylvania families are relying on our senators to stop Wheeler from enacting measures that put children at grave risk of harm.

Editorial: The State of the Union address skipped the most pressing crises of our time On Tuesday night, President Donald Trump delivered his second State of the Union address to both chambers of Congress. Trump covered a lot of policy issues in the speech — immigration, AIDS, abortion, the economy, trade, foreign policy, paid family leave, child cancer, school choice. But the lead-up to the address was touted as being a bid for unity in a deeply partisan country, and there wasn't much in Trump's language to build bridges. More critically, the absence of three of the biggest crises that we face as a nation — climate change, gun violence, and the opioid epidemic — represented a lost opportunity for the president to create a sense of shared battle. The State of the Union came a week after Director of National Intelligence Dan Coates presented the yearly worldwide threat assessment to the Senate Select Committee on Intelligence. In the assessment, Coates writes that climate change is going to "fuel competition for resources, economic distress, and social discontent through 2019 and beyond." Coates' assessment is consistent with a UN report from October that found that extreme weather events are becoming more frequent and more intense due to climate change and without significant change, a humanitarian disaster could unfold as early as 2030. The human toll of climate change also comes with a dollar amount. According to the 2018 National Climate Assessment, the cost of extreme events since 1980 for the United States was \$1.1 trillion...There is a common theme among climate change, gun violence, and overdose deaths: They are all preventable and man-made. These are also issues that all Americans should fight against shoulder to shoulder, regardless of party affiliation or political leaning. But that won't be possible if they aren't a part of the agenda.

PITTSBURGH POST-GAZETTE

County Council: What will you do about Clairton pollution? Health Dept: Enforcement coming

Questioned by Allegheny County Council members on their response to pollution following a Dec. 24 fire at the Clairton Coke Works, Health Department officials said Wednesday that an enforcement action against U.S. Steel could come within a month. County Health Department solicitor Michael Parker said they did not want to tip their hand on specifics, but, "We are definitely working on it." The enforcement action could come within "four weeks," and certainly under three months, said Mr. Parker. The action, which could consist of fines or other measures such as imposing conditions on permits, may be grouped with the regular quarterly enforcement actions the agency issues against U.S. Steel. "It's a large facility and there's always violations," explained Mr. Parker. After the fire, the county's air monitor in Liberty recorded sulfur dioxide levels above the federal standard on six days through Jan. 8, at which point the health department issued an air quality notice to the public. An additional exceedance of the standard was measured Monday, Feb. 4, by an air monitor in North Braddock. "The exceedance this week was worthy of enforcement, but enforcement

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Letter: Health department must address poor air quality

PITTSBURGH TRIBUNE REVIEW

DEP Streamlining Its Permit, Oversight Functions In Southwest PA Office The state Department of Environmental Protection says it is cutting red tape often associated with its review of projects that could impact air, water and soil quality in southwestern Pennsylvania. In the past year, the DEP's Southwest Regional Office reduced its backlog of permits by more than 75 percent – from 1,464 to 359 – and shortened its review timeline for erosion and sediment control general permits by more than 220 days, the office said. Not only has the office reduced the backlog of pending permit applications in the region, which covers eight counties, "it has stayed current on new permits and has not added to the backlog," said DEP spokeswoman Lauren Fraley. Helping with the streamlining was DEP's decision to open a Regional Permit Coordination Office, or RPCO, and to shift two counties – Indiana and Armstrong – from the Southwest Regional Office to the Northwest Regional Office, Fraley said. The RPCO will assist with construction permitting for large-scale, multi-county infrastructure projects, such as pipelines and highways, she said. Coal mining and radiation protection are handled by different DEP offices and, thus, are not affected by the recent changes. "DEP's goal with this initiative is to reduce the backlog of pending applications, improve permit review times, manage workloads and expand the use of electronic permit application tools to help simplify the process where possible," Fraley said. Ron Schwartz, director of the Southwest Regional Office, said the efficiency measures will not reduce the rigor of the DEP's review. "These are meant to help us work smarter – so we can focus our resources on actually doing the technical reviews and spend less time on the administrative paperwork and filings," Schwartz said. "The focus of our work is to find ways to work smarter but never compromise the quality of the review."...

Op-Ed: Real Culprit In Pittsburgh's Lead Crisis: Veolia, Private Operations Management Company On Friday, Pennsylvania Attorney General Josh Shapiro announced that his office has filed 161 charges against the Pittsburgh Water and Sewer Authority (PWSA) over elevated lead levels. For years, Pittsburgh community members and environmental coalitions like the Our Water Campaign — a local coalition of environmental, labor and community organizations that represents tens of thousands of ratepayers — have worked to address the problem of lead in our drinking water. The campaign and its supporters and allies have always supported mandatory disclosure of lead lines; many families may not know if they have a lead service line or not, and without that information, they cannot adequately protect themselves and their families. We know that lead poisoning can result in severe, long-term health problems, especially for children under 6. So we were initially heartened to hear that the attorney general's office investigated Pittsburgh's lead crisis and treated the issue with the gravity it deserves. We wholeheartedly support holding accountable the actors and entities who allowed this crisis to develop. However, there's a side of this story not being addressed by either the legal action taken or the media buzz surrounding this case, and that is deeply concerning. The charges that the AG's office filed focus on PWSA, the public authority in charge of cleaning up Pittsburgh's lead crisis. What they do not focus on is the party responsible for leaving Pittsburgh with a lead crisis in the first place. From July 2012 to December 2015, Paris-based private water corporation Veolia held a contract with our public water authority, putting PWSA under Veolia's operational management...

DELAWARE COUNTY DAILY TIMES

Delco moves to intervene in suit vs. Mariner East pipeline project MEDIA COURTHOUSE — Delaware County is jumping into the legal battle being waged over the controversial Mariner East pipeline project. Delaware County Council Wednesday voted 4-0 to intervene in a lawsuit against the owners of the Mariner East pipeline. Council authorized county solicitor Michael Maddren to draft a petition to intervene in the suit filed by seven residents of Delaware and Chester counties. County Council Chairman John McBlain abstained since the law firm where he works has done work

for Sunoco although he himself has not. In November, several residents filed a complaint with the Pennsylvania Public Utility Commission against Sunoco/Energy Transfer Partners, citing the risk associated with the Mariner East pipeline. "It's incumbent us to at least have a seat at the table in a proceeding that has clear impact on the safety of our residents," county Councilman Kevin Madden said. "That's what filing a motion to intervene would allow us to do." When Delaware County Council intervenes, they will be joining the Rose Tree Media, Downingtown Area and Twin Valley school districts and East Goshen Township in doing so. The legal maneuver comes just days after a butane leak was reported at the Marcus Hook Industrial Complex Monday. Borough police responded and temporarily closed Post Road as a precaution. Marcus Hook is the end point for the massive pipeline project, which is transporting hundreds of thousands of barrels a day of liquid natural gases from the state's Marcellus Shale region to the facility in Marcus Hook. The 350-mile Mariner East 2 pipeline has been active since December and moves ethane, propane and butane from western Pennsylvania and Ohio to the Marcus Hook facility, where the natural gas liquids are stored for distribution to local, domestic and international customers. The Mariner East 1 pipeline was shut down last month after a sinkhole exposed the 8-inch portion of the line was exposed in a backyard in West Whiteland, Chester County. It's the same neighborhood where sinkhole problems last winter caused the PUC to shut down Mariner East 1 and halt work on Mariner East 2. At the Jan. 23 Delaware County Council meeting, several residents asked council to consider intervening in the case.

BUCKS COUNTY COURIER TIMES

Residents Rekindle Elcon Waste Facility Opposition Residents and environmental groups gathered in Falls on Wednesday evening with renewed opposition to Elcon, after the proposed hazardous waste treatment facility submitted its first application materials to the township. Fallsington Friends Meeting has seen its share of gatherings over the centuries. But its latest one had a definite modern twist, as about 60 area residents turned out Wednesday night to organize opposition to Elcon, a hazardous waste treatment facility proposed to be built in the nearby Keystone Industrial Port Complex. The meeting was the latest in a now four-year controversy, which could reach its conclusions in the coming months as the Pennsylvania Department of Environmental Protection nears a May deadline to consider a development application put forth by Elcon Recycling Services, LLC. The company is seeking to build the facility on a 23-acre parcel of old U.S. Steel land, treating up to 193,000 tons of hazardous and pharmaceutical waste annually through a process called thermal oxidization, which opponents liken to simple incineration. Wednesday's meeting primarily afforded environmental groups such as organizer Bucks POWA (Protect our Water & Air) and the Delaware Riverkeeper Network a chance to reiterate their concerns about potential air pollution, water contamination and accidents involving the two or three dozen trucks that would bring waste water to the site each day. "It's in an area that is already inundated with pollution and water risk," said John Brodowski, deputy mayor of Bordentown City, which is located about two miles from the site. "We have to stop it." Elcon representatives have offered assurances that the facility would be "state-of-the-art," produce little pollution, and adhere to all environmental regulations. They also say it would create up to 120 short-term construction jobs and about 50 full-time operations jobs. There was also word Wednesday of two new developments. Speakers pointed out that Elcon recently submitted a land development proposal to Falls on Jan. 25, which was announced via a post on the township's Facebook page. The notice said officials felt the update was appropriate "in light of the keen interest" in the project. The announcement added there are not yet any dates for when township boards and commissions will review the project, but that officials will announce any future dates in advance of meetings...

BUCKS LOCAL NEWS

Yardley Boro Awarded Growing Greener Grant To Preserves Reading Ave. Woods YARDLEY BOROUGH >> The borough council on Feb. 5 took a step toward conserving an undeveloped piece of borough-owned land along the railroad line on Reading Avenue. At the recommendation of the Reading Avenue Woods committee, the Council voted unanimously to direct its solicitor to draft a conservation easement that would shield the nearly one acre property from any future development. The newly-constituted borough committee, made up of residents living near the property, has been meeting since December to develop an action plan for the land and its possible use in the future. In its recommendation, the committee suggests creating and instituting a conservation easement that would protect the Reading Avenue property from future development. It also recommends that the easement allow for the possibility of its transfer to a land trust in the future. And it says the easement should dedicate the property to public purposes and state that the property is subject to the "Donated or Dedicated Property Act" similar to what was done for Fitzgerald Field. But unlike

the Fitzgerald Field easement, the committee said “we do not believe this property is suited for active recreation for a number of reasons. The beneficial characteristics of the property should not be compromised and must remain, at least to its current level, as a sound and light barrier, and its water collection properties should not be reduced by way of regrading or addition of impervious surface.” The committee does recommend that the Woods be cleaned up, invasive growth be removed and/or reduced and trees with better sound and light blocking properties be planted in a series of stages over a period of time...

HARRISBURG PATRIOT NEWS

Cumberland County Man, Mariner East Pipeline Set for Hearing Over Safety A Cumberland County man’s fight with the company that owns the Mariner East pipelines will come before the Pennsylvania Public Utilities Commission next month. Wilmer Baker, of Lower Frankford Township, had filed his complaint in September over his safety concerns with the Mariner East 2 pipeline, which runs near his home as it traverses the county and state. A PUC administrative law judge has set a hearing for 10 a.m. March 28. “I’m not against the pipeline per say, but I want them to do it right,” Baker said today. His complaint against Energy Transfer, the company that owns the Sunoco pipelines, is over safety. Baker filed it on Aug. 10, stating the company refuses to install an alarm system to warn residents of a leak. He added the company used old iron in the parallel-running Mariner East 1 that he said is out of compliance with today’s standards...

Fastest-Growing Jobs In PA Every Other State, Solar Panel Installers Yahoo Finance has put together a map of the fast growing jobs in the country. The website lists the fastest growing job in each state. The site compiled the list by gathering data from the Bureau of Labor Statistics and projections from the Projections Managing Partnership. A solar panel installer is the fastest growing job in eight states. A wind turbine service technician is the fastest growing job in four states. A statistician is the fastest growing job in four states. Other fast growing jobs range from roofer to mobile home installer, costume attendant and exhibit designer. About 40 percent of the jobs are in two categories: construction and extraction; and installation, maintenance and repair. Below is the fastest growing job in each state, according to Yahoo: ...

LANCASTER NEWSPAPERS

Legislators make first tentative approval of Sunday hunting for big-game in Pennsylvania Pennsylvania has moved closer than ever before to allowing big-game hunting on Sundays. On Tuesday, a state Senate committee approved a bill that would allow the Pennsylvania Game Commission to open as many as 14 Sundays for hunting. To be sure, there is still much uncertainty over an issue that has deeply divided farmers, landowners, hunters and recreational users of the outdoors...

Crash, diesel spill snarls traffic on Route 30 westbound in East Lampeter Township About two miles of westbound Route 30 in East Lampeter Township were in bumper-to-bumper traffic following a crash Wednesday afternoon involving a truck that spilled diesel fuel on the road.

Crews responded shortly after 2:40 p.m. to the scene of a crash involving a trash hauler and a tow truck on Route 30 westbound just before the Conestoga River in East Lampeter Township, according to East Lampeter Township police Sgt. Bryan Kondras.

WILLIAMSPORT SUN-GAZETTE

MS4 deadlines ahead, with big pricetag Yet another unfunded mandate — this one from the federal Environmental Protection Agency — continues to stump municipal and county officials in terms of solutions. Both South Williamsport and DuBoistown received their renewed Municipal Separate Storm Sewer Systems, known as MS4, permits and have had their Chesapeake Bay Pollution Reduction plans reviewed and approved by the state Department of Environmental Protection, John Bickhart, engineering services manager, reported to the Lycoming County Water and Sewer Authority Wednesday. In doing so, the municipalities now have a deadline of early 2024 to prevent thousands of pounds of sediment from being discharged into the West Branch Susquehanna River. “By Jan. 31, 2024, they’re going to have to spend several hundreds of thousands of dollars a piece of money that they don’t have,” Bickhart said. DuBoistown and South Williamsport both will have to develop stormwater management best management practices that can be proven to remove 10 percent of the current sediment load being discharged. In DuBoistown, the requirement is about 15,598

pounds of sediment per year without stream restoration, or 22,763 pounds with it. In South Williamsport, the requirement is to remove 105,072 pounds of sediment per year, yet their best management practices as established so far are anticipated to remove a total of 153,325 pounds, Bickhart said. Another MS4 communities are Williamsport, Montoursville, Pennsylvania College of Technology and Fairfield, Hepburn, Loyalsock, Lycoming and Old Lycoming townships...

Heavy Rain, Snowmelt Takes Financial Toll On Williamsport Heavy rain and melting snow over the next few days is expected to require city officials to operate pump stations to prevent flooding. The expected cost of manning four pump stations could be \$5,000 in overtime expense, said Adam Winder, general manager of city streets and parks department, which manages flood control measures. The snowpack and ice melting along with the rain beginning today and continuing through Friday may lead to a 14-foot crest of the West Branch of the Susquehanna River, Winder said. He is prepared to assign two or three of the department's employees to operate the non-automated pump stations Saturday and Sunday. The river flood stage is 20 feet, so it's projected at 6 feet from flood stage, he said. National Weather Service in State College reported some areas of the region experienced a 61-degree swing in temperatures since last week's deep freeze. During heavy rains, it is the responsibility of the property owner to keep drainage areas such as catch basins and inlets open. This permits rapid discharge of water. Weather forecasts for the weekend call for possibility of precipitation late Saturday, with stronger possibility of snow on Sunday afternoon or evening...

PA ENVIRONMENT DIGEST BLOG (By PA DEP)

PFAS Action Team Meets Feb. 12 In Montgomery County To Provide Updates, Hear Public Comments The PA PFAS Action Team will hold a public meeting on February 12 from 6:15-9:00 p.m. at the Upper Dublin High School in Fort Washington, Montgomery County. "At this meeting we will hear updates from DEP on a sampling plan to identify potentially contaminated drinking water sources and from the Department of Health on the pilot study for blood levels," said DEP Secretary Patrick McDonnell. Representatives from local governments and utilities will also present on the challenges of managing PFAS chemicals, as well as working with the commonwealth and the federal government to address cleanup. [Click Here](#) for the agenda of the meeting. The meeting will include an opportunity for members of the public to provide comment in person. Commenters are asked to present no more than three minutes of remarks. Residents unable to attend or who would like to submit remarks in writing can use [DEP's eComment system](#)...

DEP To Host March 5 Meeting On Proposed Elcon Hazardous Waste Treatment, Storage Facility In Bucks County On February 6, the Department of Environmental Protection announced it will host a March 5 public meeting regarding Elcon Recycling Services, LLC's proposed plans to construct and operate a hazardous waste treatment and storage facility to treat and store liquid waste at the Keystone Industrial Port Complex in Falls Township, Bucks County. The meeting will take place at the Sheraton Bucks County Hotel, 400 Oxford Valley Road, Langhorne, Bucks County from 6:00-9:00 p.m. The public meeting will be held to answer questions from the public regarding the permit applications for the project. Representatives from DEP's Waste Management, Air Quality, and Clean Water programs will be on hand to discuss permit applications currently under review. To date, Elcon has applied to DEP for a Solid Waste Management Permit for a Commercial Hazardous Waste Treatment and Storage Facility, an Air Quality Plan Approval, and a General Stormwater Discharge permit. Elcon submitted a solid waste management permit application for a commercial hazardous waste treatment facility to DEP. After a series of administrative completeness reviews, DEP found the application to be administratively complete and commenced a 10-month technical review in July 2018.

Register Now For Clean Air Council Run For Clean Air In Philadelphia April 20 Since 1981, the [Clean Air Council](#) has held the [Run for Clean Air](#) in Philadelphia to celebrate Earth Day. This year's run will be held on April 20. The Run for Clean Air presented by Toyota Hybrids is one of the region's longest-running charity races and its largest Earth Day event. Located on the beautiful banks of the Schuylkill River in Philadelphia, the Run is a celebration of sustainable and healthy neighborhoods, clean air, and improvements in the region's overall environmental health. Year after year, sponsors, volunteers, runners, walkers and families choose to celebrate Earth Day with Clean Air Council. [Click Here](#) to register or for more details.

Manure Injection Offers Hope, Challenge For Restoring Chesapeake Bay Water Quality Widespread adoption by dairy farmers of injecting manure into the soil instead of spreading it on the surface could be crucial to restoring Chesapeake Bay water quality, according to researchers who compared phosphorus runoff from fields treated by both methods.

However, they predict it will be difficult to persuade farmers to change practices. In a four-year study, overland and subsurface flows from 12 hydrologically isolated research plots at Penn State's Russell E. Larson Agricultural Research Center were measured and sampled for all phosphorus constituents and total solids during and after precipitation events. During that period, from January 2013 to May 2017, the plots were planted with summer crops of corn and winter cover crops of cereal rye. Half the plots received broadcast manure applications, while the others had manure injected into the soil...

Help Bird Conservation By Counting Your Backyard Birds Feb. 15-18 Love birdwatching? Consider participating in this year's Great Backyard Bird Count! This free and fun citizen science program takes place February 15-18. To participate, look out your window and see what birds are in your backyard or at your feeder(s) during the four days of the count. You will need to submit a checklist online for each day that you count. Your data is important to the bird population snapshot that biologists analyze, which makes a difference in bird conservation. Typically, there are about 15 – 20 common species of birds that will visit your feeders and yards during the count.

Audubon Pennsylvania offers resources to help you participate. For more information on state parks and forests and recreation in Pennsylvania, visit DCNR's website, Visit the Good Natured DCNR Blog, Click Here for upcoming events, Click Here to hook up with DCNR on other social media-- Facebook, Twitter, YouTube and Flickr...

WASHINGTON, D.C.

WASHINGTON POST

Record-setting rain has created a biosolids problem for sewage treatment plants Sewage treatment plants throughout the Mid-Atlantic are dealing with a smelly problem: The farmland that typically uses the material that remains after the treatment process as natural fertilizer is saturated from last year's heavy rains. That means utilities have to store the biosolids until the farmland dries — and some of them are quickly running out of space. The Washington Suburban Sanitary Commission (WSSC) asked for emergency approval from its board Wednesday to accelerate its usual procurement process to quickly design, and possibly build, storage space at four of its sewage treatment plants. Two companies in charge of hauling away 18 dump trucks worth of biosolids from WSSC sewage treatment plants daily usually deliver it to farms or, if the farmland is frozen or too wet, store it temporarily. However, the companies say months of wet weather have left their storage tanks in southern Prince George's County and central Virginia 90 percent full, WSSC officials say. Utilities throughout the rain-soaked Mid-Atlantic are looking for more room for their biosolids. The gunk, which has an odor, looks like damp dirt or mulch. "We're all dealing with the same problem," said Gary Grey, WSSC's deputy director of production. "No one has ever seen anything like this." WSSC serves nearly 2 million people in Montgomery and Prince George's counties...

Wildfires, hurricanes and other extreme weather cost the nation 247 lives, nearly \$100 billion in damage during 2018 The number of billion-dollar weather disasters in the United States has more than doubled in recent years, as devastating hurricanes and ferocious wildfires that experts suspect are fueled in part by climate change have ravaged swaths of the country, according to data released by the federal government Wednesday. Since 1980, the United States has experienced 241 weather and climate disasters where the overall damage reached or exceeded \$1 billion, when adjusted for inflation, according to data from the National Oceanic and Atmospheric Administration. Between 1980 and 2013, according to NOAA, the nation averaged roughly half a dozen such disasters a year. Over the most recent five years, that number has jumped to more than 12. "We had about twice the number of billion dollar disasters than we have in an average year over the last 40 years or so," Deke Arndt, chief of the monitoring branch at NOAA's National Centers for Environmental Information, told reporters Wednesday...

Today's Earth looks a lot like it did 115,000 years ago. All we're missing is massive sea level rise Some 115,000 years ago, homo sapiens were still living in bands of hunter gatherers, largely confined to Africa. We still shared the globe with the Neanderthals, although it's not clear we had met them yet. And though these various hominids didn't know it, the Earth was coming to the end of a major warm period. It was one that's quite close to our current climate, but with one major discrepancy — seas at the time were 20 to 30 feet higher. During this ancient period, sometimes called the Eemian, the

oceans were about as warm as they are today. And last month, intriguing new research emerged suggesting that Northern Hemisphere glaciers have already retreated just as far as they did in the Eemian, driven by dramatic warming in Arctic regions...

Killer whales spotted in waters off Virginia Beach Killer whales were spotted by a fisherman off the coast of Virginia Beach — a scene that is not too common, experts said. Bill Pappas Jr., a charter fishing boat captain for Playin' Hookey Charters, posted on Facebook that he spotted the killer whales Monday while he was fishing for sea bass. He dubbed it a “Killer” Monday! 2 KILLER WHALES off of Virginia Beach, Va!!!! While offshore Seabass fishing we encountered an orca. We sailed... Posted by Bill Pappas Jr. on Monday, February 4, 2019 He said on Facebook that he sailed parallel to one of the whales for about a mile. Then, he said, “we eased ahead and slowed down to see nature’s beauty in person.” He said they then saw another one headed east. “Truly one of the coolest things I’ve ever witnessed on the water,” Pappas wrote.

The Energy 202 Blog: Ocasio-Cortez, Markey unveil Green New Deal with backing of four presidential candidates For months, the term Green New Deal has been bandied about by Democrats in Congress and on the campaign trail for president as their catchall phrase for a sweeping effort to halt runaway climate change. On Thursday, the slogan got some meat on its bones as Sen. Edward J. Markey (D-Mass.) and Rep. Alexandria Ocasio-Cortez (D-N.Y.) prepared to introduce a framework outlining the goals of a sweeping climate pact going forward — and stop other Democrats from defining the Green New Deal however they wanted. Their measure already has the backing of four Democratic senators who have launched bids for the 2020 presidential nomination. But it is already being lampooned by Republicans — though embraced by progressives — for its broad aims on things unrelated to climate, including increased access to housing, health care and education for lower-income communities...

DELAWARE

WILMINGTON NEWS JOURNAL

Paper blaze sends Delaware, Pennsylvania firefighters to recycling center Flames spread quickly through pounds of waste paper and plastic in a Fox Point recycling center, sending about 75 firefighters out Wednesday evening...

MIDDLETOWN TRANSCRIPT

DNREC to hold public open houses on Coastal Zone Conversion Permit Act The Delaware Department of Natural Resources and Environmental Control will hold three public open houses in February, seeking input on preliminary recommendations made by the Coastal Zone Conversion Permit Act Regulatory Advisory Committee. The Coastal Zone Conversion Permit Act requires DNREC to develop and promulgate regulations for the redevelopment of 14 heavy industry use sites in Delaware’s Coastal Zone by Oct. 1. The Regulatory Advisory Committee was convened by DNREC in June 2018 to provide recommendations regarding the regulations. The open houses will present the Committee’s preliminary recommendations for the public to review and provide comment. Open houses will be held 5-8 p.m. Feb. 25 at Claymont Community Center, 3301 Green St., Claymont; 5-8 p.m. Feb. 26 at Delaware City Fire Hall, 815 Fifth St., Delaware City; and 5-8 p.m. Feb. 27 at Elbert Palmer Elementary School, 1210 Lobdell St., Wilmington. The public may attend at any point and for any length of time during the open houses. Attendees will be able to view a video presentation about the legislative changes and the process leading to the Regulatory Advisory Committee’s preliminary recommendations. Attendees will also be able to walk around and visit various informational booths that explain the different aspects of the committee’s preliminary recommendations. Attendees will be able to provide input on feedback forms. The forms will be available at the workshop as well as on DNREC’s website prior to the events...

DNREC seeking proposals for VW Environmental Mitigation Plan settlement The Delaware Department of Natural

Resources and Environmental Control will host a public meeting at 10 a.m. Feb. 13 at the State Street Commons Building, 100 W. Water Street, Suite 6A, Dover, to solicit requests for proposals on projects benefiting the state's environment to be funded by lawsuits settled against Volkswagen and Audi for installing emissions "defeat devices" on the automakers' vehicles in violation of the federal Clean Air Act. Delaware anticipates spending about \$3.2 million from an Environmental Mitigation Trust established through partial settlements against the automakers. DNREC's Division of Air Quality has begun soliciting proposals on projects that reduce nitrogen oxide emissions from the following environmental mitigation actions: class 8 local freight and port drayage trucks; class 4 school bus, shuttle bus or transit bus; freight switchers; ferries and tugs; oceangoing vessels; class 4-7 local freight trucks; airport ground support equipment; and forklifts and port cargo handling equipment...

WEST VIRGINIA

CHARLESTON GAZETTE-MAIL

Commentary: Water challenges need a strategic approach The Charleston Gazette-Mail recently published some excellent articles on water infrastructure challenges in southern West Virginia as part of its "Stirring the Waters" series. With the monumental infrastructure challenges that rural communities face, it's easy to look at this seemingly impossible issue with your glass (of water) half empty. I have the privilege of leading West Virginia's largest water utility, which serves nearly one out of three West Virginians. Our goal at West Virginia American Water is to keep life flowing for our customers by providing clean, safe, reliable and affordable water service to meet all of our community's water needs. It starts with clean drinking water, but also includes the water needed to sustain businesses, fight fires and keep us healthy through sanitation...

ASSOCIATED PRESS (W. Va.)

Atlantic Coast Pipeline Delayed Until 2021, Cost Up by \$3B The completion of a natural gas pipeline running through West Virginia, Virginia and North Carolina has been delayed and its costs are increasing by up to \$3 billion. The Fayetteville Observer reports Atlantic Coast Pipeline LLC announced Friday that the 600-mile pipeline is not expected to be in full service until 2021. It was initially expected to be in service this year. The project was projected to cost between \$4.5 billion and \$5 billion when first announced. Now the company projects a total cost of \$7 billion to \$7.5 billion. A spokesman for pipeline partner Dominion Energy, Karl Neddenien, blames delays for the cost increases. Some work was suspended last year over questions related to a national permit, while residents and environmental groups have sued to stop the project.

MARYLAND

BALTIMORE SUN

How emergency alerts work, and why people near Baltimore County might have gotten one Wednesday Have you ever seen an emergency alert on your phone or heard a radio program interrupted by a harsh tone followed by a warning? Here's what you need to know about emergency alerts and the authorities behind them: What are emergency alerts? Whenever there's a serious emergency affecting a large...

WBOC-TV SALISBURY/DELMARVA

Eastern Shore Watermen, Conservationists Debate Dredging Historic Oyster Bar CHURCH CREEK, Md. - Eastern Shore watermen say they're ready to fight a bill being debated in Annapolis. The bill would prevent Maryland's Department of Natural Resources from dredging a prehistoric oyster bar known as Man O' War Shoal, which is located in the upper

Chesapeake Bay near the Patapsco River. Conservationists say the bill would save fish habitat from being disturbed, but watermen argue the bill would stop progress made to improving the health of the Bay. It's a bill that's striking a nerve with many Eastern Shore watermen like Rob Newberry of the Delmarva Fisheries Association. "This is absolutely ridiculous," Newberry said. "They're doing every single thing they can to fight us. This is a war, so we're going to have to step this up in the next couple weeks." Newberry argues the bill would prevent millions of oysters from being planted and grown on the dredged shell and ultimately re-entering other parts of the Chesapeake Bay. But conservationists like David Sikorski, Executive Director of the Coastal Conservation Association of Maryland, argue the dredging would harm nearby fish habitat. "We support building habitat, not tearing it down," Sikorski said. "Recreational anglers rely on oyster habitat and clean water for our success, and we urge Maryland DNR to enact strong science based management measures to fulfill a three pronged approach to support oyster restoration, a sustainable wild oyster fishery, and oyster aquaculture. Dredging buried shell at Man O' War Shoal is unacceptable, and should be removed from the overall oyster management conversation once and for all." Environmentalists with the Chesapeake Bay Foundation have also urged passing of the bill, arguing for alternatives like the use of man-made concrete oyster beds. The organization says the beds are four times better at growing oysters and have proven to work in other oyster reefs like in Harris Creek. But Talbot County waterman, Bunky Chance says, any alternatives, like what's seen in Harris Creek, doesn't make economic or environmental sense. "It's a matter of weighing the benefits over the costs," Chance said. Newberry says he and other watermen are working to appeal to Maryland lawmakers to make sure the bill does not pass. Newberry and several other Eastern Shore watermen met at the Church Creek Fire Hall Wednesday night to talk more details of the bill.

CHESAPEAKE BAY MAGAZINE

Stay Alert: Ice Remains on Waterways Despite Warmup this week's drastic temperature turnaround has left the Chesapeake Bay region with whiplash, as windchills in the single digits and teens turned into a record high of 74 degrees— just a handful of days later. At the worst of the Arctic cold front, the National Weather Service issued snow squall and gale warnings in the Bay region. The Coast Guard Capital Region Captain of the Port set "Winter Port Condition One," warning boaters to use caution because ice formation was likely. The Maryland Department of Natural Resources sent one its four ice breaker buoy tenders, M/V J. Millard Tawes, to Smith Island at the request of ferry boats and a marine contractor. Luckily, from Sunday on, daily temperatures were back above freezing and climbing. The warmup was welcomed by much of the Bay, of course, as the sun started chipping away at the ice covering many waterways. On Tuesday, a record-breaking 74 degrees was measured at Reagan International Airport in Arlington, Virginia. It blew away the old record of 70, set in 1991 and 1890. Despite the relative "heat wave," the Coast Guard is still listing reports of ice in some Bay tributaries. And that means boaters out enjoying the unseasonably nice weather still need to be on alert for areas of ice, no matter how warm the air feels. As of Wednesday morning, the Coast Guard reported the C&D Canal east of Chesapeake City was still 40 percent covered with four inches of pack ice. The U.S. Army Corps of Engineers has imposed restrictions on the Canal, allowing only vessels with steel hulls and 1500 horsepower to pass. USCG reports some ice remains on the Patapsco and Chester Rivers, near Pooles Island, at the entrance to the Choptank, from Holland Point to Cove Point, and on the Nanticoke River. No matter how much ice is left in a given area, the Coast Guard warns mariners that ice may have destroyed or dragged navigational markers off their stations, so proceed with caution.

Wild Chesapeake: Tougher Goose Hunting Limits Ahead The Maryland Canada goose season ended last Saturday with many gunners enjoying successful hunts around the Atlantic flyway, especially on Eastern Shore agricultural fields. Virginia's migratory Canada goose season closed on January 27, and the Commonwealth's resident goose season runs through February 20 in well-defined zones. Maryland's resident geese may be taken in certain western counties through March 9. Last week, we did well on a southern Maryland farm where the geese put on a spectacular show. Next season, however, the Chesapeake (Delmarva) region will have a reduction in the daily bag limit from two geese to one with a 30-day season held between November 15 and February 5, probably divided into two splits. Pennsylvania and New York hunters will see their daily bag drop from three to two geese in 2019-20. Maryland's Department of Natural Resources (DNR) will host a public hearing on March 6 at Chesapeake College in Wye Mills to present the options. The cuts necessary due to poor breeding results in seven of the past ten years for the Atlantic Flyway goose population. In fact, aerial surveys conducted this past spring revealed one of the worst breeding seasons in almost 20 years. Only 115,000 nesting pairs were observed compared to nearly 200,000 in 2016...

CHESAPEAKE BAY PROGRAM BLOG

'Plugging up' a unique Delmarva bay In winter, waterfowl visit the Chesapeake Bay watershed by the tens of thousands, drawn by a mix of fresh and saltwater habitats, and hundreds of thousands of acres of rich wetlands that provide an ample supply of food. A major stop on the Atlantic Flyway, last year over a million ducks, geese and swans visited the Chesapeake region. Wetlands are bastions of biodiversity beyond just waterfowl—one in ten endangered species in the region depend on wetlands for their survival. And in the face of increasingly severe weather, they help absorb storm surges that otherwise would cause more damage inland. But, threats such as increased development and sea level rise threaten the future of the Chesapeake's wetlands. In the most recent *Chesapeake Bay Watershed Agreement*, the Chesapeake Bay Program set a goal to create or re-establish 85,000 acres of wetlands, relying almost entirely on agricultural land to reach that number. On one Eastern Shore farm, landowner Mark Furr wanted to see more waterfowl, and the soggy history of his particular stretch of the Delmarva peninsula made wetland restoration a natural fit. "I chose to restore wetlands because I love birds," Furr said. "I love hunting as well." Furr leases his land to a farmer who had originally helped him locate the 397-acre property that he purchased near Greensboro, Maryland several years ago. The farmer, who grows corn, soybeans and wheat on Furr's land, was supportive of a potential restoration project but had never seen so much as a duck on the property. "I mean, maybe a mallard every now and then," Furr said. Two years ago, Furr reached out to Jake McPherson of Ducks Unlimited, whom he had met in 2013 when attending a seminar on the organization's Choptank Watershed Wetland Restoration Program...

VIRGINIA

ROANOKE TIMES

Appeals court allows quick-take of land for Mountain Valley Pipeline An appeals court has upheld the "take first, pay later" approach to building the Mountain Valley Pipeline, in which the company condemned private property in the project's path before paying opposing landowners for their losses. The ruling Tuesday by the 4th U.S. Circuit Court of Appeals was a blow to pipeline foes, who have long decried the use of eminent domain to take parts of family farms and rural homes to make way for a 303-mile natural gas pipeline. In their appeal, the landowners did not contest the laws that allowed Mountain Valley to obtain forced easements through nearly 300 parcels in Southwest Virginia. But they challenged a ruling by U.S. District Court Judge Elizabeth Dillon, who granted Mountain Valley immediate possession of the disputed land before deciding how much each property owner should be compensated. Dillon's decision was instrumental in allowing the company to move forward with tree-cutting in February 2018. At the time, Mountain Valley officials testified that they needed to start timbering as soon as possible to keep the project on schedule and to meet a March 31 deadline for the felling of trees before they became the warm-weather habitats of protected species of bats. The company would have suffered serious financial harm if it was forced to wait to begin tree-cutting until mid-November, after the bats had gone back into hibernation, Dillon ruled in allowing Mountain Valley to take first and pay later. Two other federal judges, who preside over districts in West Virginia through which the pipeline will pass, made similar calls. All three of the decisions were consolidated into one case, with a three-judge panel ruling unanimously in Mountain Valley's favor. Derek Teaney, an attorney for Appalachian Mountain Advocates, a nonprofit law firm that represented the landowners, said his clients were evaluating their options and declined to comment further...

MISCELLANEOUS

GOVERNMENT EXECUTIVE

TSP Proposes New Shutdown Loan Rules, OPM Considers Health Care Portal, and More Officials with the agency that administers the federal government's 401(k)-style retirement savings program published an interim rule Tuesday that would ensure federal employees impacted by a government shutdown can take out loans on their Thrift Savings Plan accounts regardless of how long the lapse in appropriations is expected to last. Posted in the *Federal Register* by the Federal Retirement Thrift Investment Board, which governs the TSP, the rule narrowly applies to federal workers who

are either furloughed or forced to work without pay during a lapse in appropriations. Before this week, any employee in a “non-pay status” was eligible to take out a loan, so long as that status was expected to last less than 30 days. As a result, there was uncertainty regarding whether employees at unfunded agencies could apply for TSP loans during the 35-day partial government shutdown, especially as it stretched into the third and fourth week. Earlier this month, TSP officials reported that they saw a 5 percent increase in the issuance of TSP loans during the lapse in appropriations, compared to a 26 percent increase in withdrawals, a more onerous process that forces participants to incur a 10 percent tax penalty and stop contributing to their accounts for six months...

Republicans Blast Democrats' Effort to Boost Ethics in Government Republican lawmakers on Wednesday condemned a Democratic bill that includes vast new oversight to ensure ethical behavior by federal employees, though their criticism focused primarily on other provisions of the sweeping reform package rather than those aimed at the civil service. Much of the commentary on the parts of the For the People Act ([H.R. 1](#)) concerning the federal workforce were positive, especially from the ethics and good-government experts who delivered testimony to the House Oversight and Government Reform Committee. While the hearing was aimed specifically at examining those provisions, large portions of the debate broke down over political allegations about perceived hidden intentions...

Study: Federal Workforce Is on the Verge of Catastrophe A new study released by the Senior Executives Association paints a dire picture of the federal workforce, one that is stretched too thin, hampered by old technology and the target of partisan attacks. Without a significant overhaul, agencies may fail to provide adequate services when they are needed most, the researchers found. The [report](#), released last week, seeks to answer the question in its title: “Are Declines in U.S. Federal Workforce Capabilities Putting our Government at Risk of Failing?” The conclusion of the authors, longtime government observers and practitioners, is not reassuring: “Has the U.S. federal government reached a point where critical operations might fail in stressful events that are likely to occur? This was this project’s animating question. Based on the data collected in this study, it appears the answer to these critical questions is yes.” The study notes that the federal government has longstanding staffing problems in relation to increased responsibilities and a rise in overall government spending. “The U.S. executive branch has hardly grown in 60 years—there were 1.8 million civilian employees in 1960, and 2.1 million in 2017,” the study states. “Yet over the same period the amount of money spent by the federal government has grown fivefold. To be sure, contracts and grants have filled part of the gap, but, still, both the amount and range of work required of the federal workforce has continued to go up, just as the scope and complexity of executive branch functions also increased.”...

BLOOMBERG ENVIRONMENT

Top EPA Climate, Clean Air Adviser Resigns After Two Years The Trump administration’s top air and climate adviser at the EPA for the past two years is resigning effective today, according to a Feb. 7 resignation letter sent to the White House and obtained by Bloomberg Environment. Mandy Gunasekara said in her resignation letter to President Donald Trump that she planned to launch a new organization to support “the many energy, regulatory and economic successes” of his energy and environmental agenda, which is likely to come under intense scrutiny by emboldened Democrats who won control of the House last November. She arrived at the Environmental Protection Agency in March 2017 as a senior policy adviser to Trump’s first EPA administrator, former Oklahoma Attorney General Scott Pruitt, who resigned in July 2018 amid a series of alleged ethical lapses. Gunasekara is perhaps best known for a bit of Washington winter theater in February 2015, when she brought a snowball into the Senate chamber for Sen. Jim Inhofe (R-Okla.), who used it as a prop to argue that scientists and climate advocates were exaggerating global warming. President Trump is seeking to withdraw the U.S. from the Paris Agreement on climate change, although the earliest the U.S. can formally leave is one day after the Nov. 3, 2020, presidential election. At the EPA, Gunasekara also worked to roll back Obama regulations that set limits on power plant carbon emissions and pushed for more streamlining of environmental permitting...

Wheeler Has GOP Senators’ Support Even Absent Chemicals Pledge Andrew Wheeler appears to have alleviated the concerns of some Republican senators urging the EPA to take stronger action to limit fluorinated chemicals in drinking water—a step that could further solidify his confirmation to the agency’s top slot. Wheeler, currently serving as the Environmental Protection Agency’s acting chief, hasn’t committed to set a national drinking water standard for per- and polyfluoroalkyl compounds, also known as PFAS. A group of 20 senators—including Sens. Shelley Moore Capito (R-W.Va.) and Thom Tillis (R-N.C.)—wrote to Wheeler Feb. 1 asking the EPA to develop enforceable national standards for

the compounds, which may cause adverse health effects such as developmental harm to fetuses and testicular and kidney cancer. It isn't clear whether the EPA's pending national plan to address PFAS will include work on a drinking water standard, but Wheeler seems to have reassured Capito and Tillis that the EPA will sufficiently address the contaminants...

Gag Order Re-upped in Chicken Waste Nuisance Class Case Mountaire Corp. and landowners who say the company's chicken processing plant contaminated their properties must continue to abide by a gag order in class litigation over the company's wastewater disposals, a Delaware court ruled. The Feb. 5 order by the Delaware Superior Court, Sussex County, is the latest wrinkle in litigation brought by residential homeowners over the deleterious effects of large-scale farms and food processing facilities. Smithfield Foods Inc., for example, continues to face a string of jury trials over its North Carolina hog farms, and was hit with a \$94 million award in one case alone. Here, named plaintiff Gary Cuppels brought the nuisance and trespass case on behalf of more than 750 people who live within five miles of the poultry plant. Mountaire generates more than two million gallons of wastewater and sludge each day, exposing the plaintiffs to "dangerous amounts of pollutants released in the air, soil and water," the complaint states. Mountaire argued that the November 2018 gag order mischaracterized its print, radio, and television advertisements, in which it challenged televised accusations by the plaintiffs about practices at Mountaire's plant in Millsboro, Delaware. The order, however, was based in part on Mountaire's print advertisement that was intended to sway public opinion, the court said. That conclusion was "supported by the text of the advertisement itself," which emphasized Mountaire as a "critical part of the local economy" and "insinuated that a lawsuit, such as the one here, would have dire consequences" for the company, its employees, and the community, the court said...

Chemical Policy Crunch: EPA's Deadlines Remain Despite Shutdown Manufacturers and environmental groups may be hard pressed to respond to the EPA's chemical proposals as quickly as needed following the recent partial government shutdown that lopped a month off the agency's already tight 2019 deadline schedule. The lost time could affect the comments that outside groups of all stripes can provide EPA to help shape sound chemical policies, attorneys and advocates say. Certain industry use, health effects, and worker safety information may never make it to EPA under the compressed schedule, they add. "It's not fair to anybody to subject all stakeholders to the time crunches and deadlines facing us," said Martha E. Marrapese, a partner in the Washington of Wiley Rein LLP, said in a recent interview. Marrapese said Congress should postpone some statutory deadlines. The Environmental Protection Agency faces a mountain of deadlines on chemicals this year, Liz Hitchcock, director of the Safer Chemicals Healthy Families coalition, told Bloomberg Environment on Feb. 5. The shutdown truncated the time available to make those decisions and for interested parties to weigh in on them, she said...

Republicans Reach Across Aisle on Climate, But Not Too Far Republicans on the House energy committee said they can work with Democrats on bipartisan policies to address climate change—but they draw the line at the rapid transition to all renewable energy outlined by the Green New Deal. The position—echoed by the majority of the Republicans on the House Energy and Commerce Committee during a Feb. 6 hearing on climate change—suggests at least some Republican lawmakers want to ensure they have a voice in the growing conversation on climate policy enveloping the Democratic-led House. And it represents a potential shift in how much Republican lawmakers are willing to talk about climate change, an issue they've previously avoided or cast doubt on...

Invasive Weed Creep Spurs Concern Over Roundup Bans The threat to public lands posed by invasive plant species is increasing by about ten million acres each year, and conservationists fear they will lose their best tool to combat it. That's according to data from the Bureau of Land Management (BLM) which manages 245 million acres of public land—about one in every 10 U.S. acres. As pressure from invasive plants grows, conservation groups and land managers worry that glyphosate, the active ingredient in Roundup, might soon be off limits or severely curtailed. "As it stands, glyphosate is really the best tool we have for fighting invasive plants," said Brendan Quirion, an invasive species specialist with The Nature Conservancy, the largest conservation advocacy group in the world. The safety of glyphosate, developed by Monsanto, which is now owned by Bayer AG, has been disputed by scientists and regulatory bodies. Across the six-million-acre Adirondack Park in Upstate New York where Quirion is based, The Nature Conservancy has removed over 1,000 infestations of invasive plants such as phragmites and Japanese knotweed, he said. According to one report, the annual cost of controlling Japanese knotweed in the U.K. alone costs their economy around \$214 million...

GREENWIRE / E&E NEWS

After shutdown delay, EPA to publish mercury proposal EPA is pressing forward with a contentious proposal to strike the legal justification for its 2012 limits on power plant emissions of mercury and other hazardous pollutants. The draft rule, released in late December, is set for publication in tomorrow's *Federal Register*, thereby opening a 60-day public comment period. EPA also plans to hold at least one public hearing on the proposal but has yet to say when and where that will be. Publication had been held up by the 35-day partial government shutdown that idled most of the agency's workforce from just before Christmas until late last month. Under the proposal, which has attracted criticism from both environmental and utility organizations, the agency seeks to revoke the statutorily required determination that it was "appropriate and necessary" to regulate releases of mercury, arsenic and other hazardous air pollutants from coal- and oil-fired power plants...

EPA: Compliance plan would downgrade air, water initiatives EPA, as part of a broader reshuffling of its enforcement agenda, is proposing to deprioritize initiatives to stop raw sewage from flowing into the nation's waterways and limit air pollution from power plants and other large industrial facilities. Under what are now dubbed "national compliance initiatives," the agency is also seeking to rework the scope of a long-running program that targets energy industry emissions, under a recently posted draft blueprint that would run from fiscal 2020 through 2023 and is awaiting publication in the *Federal Register*. Previously known as "national enforcement initiatives," the listings serve as a means of focusing "enforcement and compliance resources on the most serious environmental violations," according to the notice from Susan Bodine, head of EPA's Office of Enforcement and Compliance Assurance. It also proposes two new initiatives: the first intended to increase compliance with drinking water standards, the other to reduce children's exposure to lead. The draft's release was previously reported by *Inside EPA*. Once it's published, the public will have 30 days to comment. The last update, undertaken under the Obama administration, covers eight priorities...

Greens sue over EPA's ozone implementation rule Three environmental and conservation groups are challenging EPA's approach to fostering compliance with its 2015 ground-level ozone standard. In a suit filed earlier this week, Texas-based Downwinders at Risk, the Sierra Club and the National Parks Conservation Association asked the U.S. Court of Appeals for the District of Columbia Circuit to review the final implementation rule that sets cleanup requirements for 22 states, along with the District of Columbia, that have areas in nonattainment with the 70 parts per billion standard. As of this morning, the suit had not showed up in the federal courts' online record system; a copy was provided by Earthjustice, which is representing the three groups. In an email, Earthjustice attorney Seth Johnson alleged that the rule "opens loopholes that allow more smog pollution to linger longer." "This matters because ozone causes serious health harms and impairs the wellbeing of vital natural places like national parks," Johnson said...

Clean Water Act: Army Corps to slash state permit review times The Trump administration has taken the first step to limit states' ability to block permits under the Clean Water Act. In a December memo, Army Corps of Engineers chief R.D. James directed the agency to write new guidance limiting the time states have to review permits for projects that would dredge or fill in wetlands and streams. Section 401 of the Clean Water Act gives states up to a year to review such projects unless the federal permitting agency sets a different timeline. If states don't approve or deny a project within that timeline, they waive their authority. James writes in the memo that while Army Corps regulations already require states to make their decisions within 60 days of receiving an application, "it has been standard practice" for Army Corps districts to give states an entire year to review permits...

Climate change returns to limelight House Democrats this morning brought climate change back to the political forefront for the first time in nearly a decade and were met with a Republican tone shift far from the skeptical attitude the GOP has taken to the issue for years. The Energy and Commerce Subcommittee on Environment and Climate Change and the full Natural Resources Committee met simultaneously to discuss the need to act on climate change and the costs of inaction. Democrats, unsurprisingly, talked about the issue in broad strokes, at times comparing it to the moon landing and the nation's other great scientific and technological challenges. "In the 1960s, our government and our nation's best rose to the Sputnik challenge by sending a person to the moon. Today, our course remains unclear," said Rep. Paul Tonko (D-N.Y.), chairman of the E&C subcommittee. "How our committee responds at this inflection point will define our nation for the next half century and beyond."...

Climate: 2018: 4th-warmest year on record Globally, 2018 was the fourth-warmest year on record, and nine of the last 10 years are the hottest in recorded human history, the Trump administration announced today. Last year was another extremely warm year on top of a long-term global warming trend, said Gavin Schmidt, director of NASA's Goddard Institute for Space Studies. "You can see that across the globe, 2018 was extremely warm, with only a few places that were slightly below," he said. 2018's temperatures rank behind those of 2017, 2016 and 2015, NASA announced today. The annual release is one of the most significant data points on climate change, and it shows a warming trend over the last century that coincides with the release of more greenhouse gases into the atmosphere through the burning of fossil fuels. The amount of greenhouse gas now in the atmosphere is at a level not seen in about a million years, scientists have said...

EPA: IG's Pruitt reviews delayed after shutdown The partial government shutdown that closed EPA also helped stall ongoing audits and investigations by the agency's internal watchdog. The EPA inspector general's work, which helps root out waste and fraud at the agency, was hindered with the vast majority of its staff on furlough due to the funding lapse. Almost all of the watchdog office's investigative work was halted, and that may result in the release of fewer reports this year. EPA IG spokesman Jeff Lagda told E&E News, "The shutdown made it difficult for the OIG to meet its mandate to assist in keeping the EPA transparent and accountable during this period." "The majority of our ongoing investigations and all of our ongoing audits came to a complete stop," Lagda said. "As a result of the shutdown, most of the OIG's work has been delayed by several weeks, which may result in fewer completed audits and investigations in FY 2019."...